

ARIZONA SENTINEL

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ARIZONA SENTINEL FOUNDED 1890

"Cynthia Grey" First Woman Elected L. A. Council

GRAND JURY CHARGED BY THE JUDGE; BONDESSON, FOREMAN

The entire quota of 16 grand jurors were in court yesterday to receive instructions from the court as to duties. Following is a list: Jobe W. Barber, Oscar P. Bondesson, George F. Cotton, John Ghiotto, Andrew Y. Greer, Edward D. Hodges, C. A. Livingston, Edward Metcalf, Paul Moretti, David Fred Samuel, Earl B. Smith, E. L. Crane, J. W. Edwards, R. F. Gray, A. E. Johnson, J. M. Thacker.

The last five on the list are those drawn by special venirs. Oscar P. Bondesson was named by Judge Baxter as foreman, after which the following charge and information was given by the court.

Gentlemen of the Grand Jury:

You have been selected from the body of the people for the purpose of making an investigation of all public offenses against the laws of the state, committed or triable within the county of Yuma.

The oath that you have taken requires you to make diligent inquiry and true presentment make of all such matters and things as shall be given you in charge, or otherwise come to your knowledge touching the commission of such public offenses, and that in all indictments you shall present the truth, and nothing but the truth, according to the best of your understanding.

The cases to be considered by you are those which will be given to you in charge by the court, those which will be submitted to your consideration by the County Attorney, and those which you, yourselves, may have cognizance.

It is not your province in considering presentments, to determine whether the persons thus accused have been the offenses charged; that is the province of the trial jury. Your duty is to determine whether there is sufficient evidence to put the accused on trial before a trial jury. This evidence must be legal evidence, not hearsay, reports, rumors or conjectures—such evidence only as would be competent in a court of justice. It is your duty to receive no evidence in any charge under your investigation, except such that is given you by witnesses

produced and sworn before you or furnished by legal documentary evidence, or the deposition of witnesses as provided by law.

Your investigation of crimes is one-sided only; it goes to the guilt of the accused. You have no right to presume that there will be evidence upon the trial of the case that will explain or contradict the evidence presented to you in support of the charge. For this reason, however, you ought to be convinced from the legal evidence before you, unexplained and uncontradicted, that it would be sufficient to authorize a trial jury to convict the accused of the crime with which he stands charged before you should find an indictment against him.

You are not bound to hear evidence for the defendant; but it is your duty to weigh all the evidence submitted to you, and if, in the course of your inquiries you have reason to believe that there is other evidence not presented to you, within your reach, which will explain away the charge under investigation, it will be your duty to order such evidence to be produced and for that purpose you may require the county attorney to issue process for the witnesses.

I call your particular attention to the secrecy which your oath imposes upon you. It means that whatsoever transpires in the Grand jury room must be kept secret, unless you are called upon in a court of justice to disclose the same. Your own actions, the action of your fellow jurors, the action of the county attorney and the testimony before you, all must remain inviolate. This is due to the protection which the law gives to innocent men against whom accusations may be brought as well as to prevent the defeat of justice by informing persons of indictments found against them, and thus, perhaps, permitting the guilty to escape; the court earnestly trusts that you will keep this charge in mind. Under our Penal Code it is a misdemeanor for any grand juror to wilfully disclose the fact of an indictment having been made for a felony, until the defendant has been arrested, and it is also a misdemeanor for any

LOS ANGELES, June 3. Complete official figures give Sebastian 46,498 and Whiffen 41,989, for the mayoralty. Mrs. Estelle Lawton Lindsey, a newspaper writer, for years known as "Cynthia Grey," is the first woman elected to the city council. The motorbus ordinance was defeated, the two platoon system for the fire department carried and also the proposition compelling two telephone systems to interchange service as a prerequisite for the renewal of their franchises.

grand juror, except when required by a court, to wilfully disclose any evidence adduced before the grand jury or anything which he himself or any other member of the grand jury may have said or in what manner he or any other grand juror may have voted, on a matter before them.

Your oath further requires that you indict no person through malice, hatred or ill will nor leave any person unpresented through fear, favor or affection, or for any reward or hope thereof. This requires you to leave all bias behind you when you enter the grand jury room, and to discharge your whole duty fairly, fearlessly and impartially. You have no right to permit your judgment to be influenced or controlled by any personal, religious or political feeling. No personal, religious or political controversy should have any abiding place in the grand jury room.

The county attorney is your legal advisor and is allowed at all times to appear before you for the purpose of giving information relative to any matter cognizable by you, or for giving you advice upon any legal matter when you may require it, and he may interrogate witnesses before you when you or he deem it necessary. It is your duty to follow his instructions of matters of law, unless you should be instructed to the contrary by the court.

The grand jury may, at all reasonable times, ask the advice of the court, but unless such advice is asked, the judge of the court must not be present during your sessions. Upon the demand of the county attorney, when-

ever criminal causes are being investigated before the grand jury, the grand jury must appoint a competent stenographic reporter to report in short hand the testimony that may be given in such causes and reduce the same, upon the request of the county attorney, to longhand or typewriting. The services of such stenographer constitute a charge against the county. No other person is permitted to be present during the sessions of the grand jury except the members, the county attorney, a stenographic reporter and witnesses actually under examination, or an interpreter; and no person must be permitted to present during the expression of your opinions or giving your votes upon any matter before you, except the county attorney. Your foreman may cause the county attorney to issue subpoenas for the attendance of witnesses or interpreters, and may administer oaths to the witnesses appearing. Any witness disobeying a subpoena so issued will be punished for contempt of court. The judge of the court will administer the oath to the stenographer and interpreter in case you need either, before either enter upon his duties. The reference to the county attorney in this charge and information applies equally well to his duly qualified deputy.

In order to find an indictment, at least twelve of your number must concur, and when an indictment has been found it must be indorsed "A True Bill," and the indorsement signed by your foreman and the names of the witnesses examined before

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RICH LAND ABOVE BARD OVERFLOWS WITH LOSS

The A. G. Titsink unit above Bard has again, for the third time, suffered from a broken levee, and a great portion of the 40 acres is under water. This land lies close to the river, and is the richest land to be found; but the government has failed to take adequate measures to protect the Bard settlers so that at least in some instances the land has not been reclaimed.

We quote one of the settlers:

"You know how the Reclamation Service advertised this land. A class of the very best settlers went in, all with some money. Now the facts are that the said land was swamp and never has been reclaimed. The year when the people on the Mississippi were flooded we had to take our stock up on the levee and our land was swamped some places two feet deep.

"We paid the government \$55 per acre. The reclamation service hushed up our claims, stating that they sure would get help for us from the government. For four years we have all lost our crops every year in June and July. It has cost me \$400 cash and many years of hard saving, and now they will plaster my place with \$35.32 per acre more.

"Is there any possible show for us to get the Examiner to help us?

"Personally, we dare not mention our grievances, for if we do the water leaders and other employes are apt to make life so disagreeable for us that it would break a man.

"All I ask is that the Examiner send us a competent man or help us get a competent one to look over our claims—a man like Mr. Mulholland.

"Out of 173 water gates not more than twenty are located where a practical irrigator would put them. When I get the water on my lowest corner the government has to bank up the ditches four feet to force it over my land, and, of course, it has cost me several hundred dollars to connect and I am always fighting breaks.

"If possible, let me know if you are the poor people's friend, and I shall be glad to give you more data."

The second time the Titsink ranch was flooded, two months ago, ten acres of fine wheat was destroyed along with all chickens and much portable property, constituting a loss of \$500.

The break was repaired at that time; it has broken again and the reclamation teams are again engaged in repairs.

The Examiner has no desire other than to get at the facts whenever they can be secured, with a view to ultimately correcting the evils that afflict our people as they do every new country—and, having at all times an abiding faith in the future of this great project.

CHARLES HOY HELD ON MURDER CHARGE

The Calexico Chronicle says: Charles Hoy, formerly a saloon man of Mexicali and later the gambling concessionaire at Tia Juana, is held a prisoner in the Mexicali jail and was formally charged Friday with the murder of Charles Gale, which occurred February 16, 1914, at which time it is said that nearly \$10,000 was secured. With Hoy in jail is "Sleepy" O'Brien who is also held in connection with the crime. Soon after the brutal murder of Gale it was reported that the actual murderer was "Red" O'Brien, the shirt which was found on Gale's premises being identified as belonging to O'Brien. The man held, "Sleepy" O'Brien, was in Mexicali at the time, but is not the same character although having a similar name.

Hoy came to Mexicali about one week ago and was in that city several days before being arrested. At the time of his arrest, Hoy was at a loss to account for the reason, and did not find out until his case came up Friday morning.

Gale's body was found on the morning of Monday, February 17, 1914, the premises indicating that a violent struggle had taken place before the murder was committed. Several arrests have been made since that time, but no direct evidence was obtained, and the suspects were released.

THIS IS THE IDEAL WIFE

The mate who through her encouragement—through the appreciation of his efforts to accomplish work worth while inspires her husband to greater and more worthy deeds than he himself could ever accomplish without vigorous stimulus or different encouragement.—THIS IS THE IDEAL WIFE.

Oh! Woman! * * * * *
Nature made thee to temper
man. We had been brutes with-
out you.—Thomas Otway.

AND THE DESERT SHALL BLOSSOM

By Georgia A. Hall
Was it God's will that Sharron's rose
Should fling its sweetest perfume here;
Will He forget that his hand left
A sand-strewn desert gray and sere.
This sun-baked sea of barren soil
Took life from fountains of crystal beads,
And lazy miles of broad canals
Brings blessings in the fullest meads.
For the God of Love is ever kind—
In measure as we strive He gives,
He sends the streams from yon white peaks,
And the fevered, throbbing desert lives.